

**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

TASHA MONIQUE LEE,

Plaintiff,

v.

TOM CHAPMAN, WARDEN, *et al.*,

Defendant.

:
:
:
:
:
:
:
:
:
:
:
:
:
:
:
:

**Civil Action
No. 5:07-cv-465 (CAR)**

**ORDER ON THE RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is the United States Magistrate Judge's Order and Recommendation that Defendant's Motion to Dismiss be granted. Because Plaintiff has entered an Objection to the Recommendation in its entirety, the Court has conducted a *de novo* review of the motion. Upon review of the arguments of the parties and the record of the case, the Court finds that Plaintiff's Complaint does not state a claim upon which relief may be granted. As the Recommendation explains in greater detail, Plaintiff's claims against the Georgia Department of Corrections, against the Georgia Board of Pardons and Paroles, and against Warden Chapman in his official capacity are barred by the Eleventh Amendment. In his individual capacity, Warden Chapman is protected by qualified immunity. Accordingly, the Recommendation (Doc. 49) is hereby **ADOPTED AND MADE THE ORDER OF THE COURT**, and Defendant's Motion to Dismiss (Doc. 10) is **GRANTED**. Plaintiff's Motion

for Summary Judgment (Doc. 23) and Motion for Temporary Injunction (Doc. 35) are
DENIED.

It is SO ORDERED this 12th day of April, 2010.

S/ C. Ashley Royal
C. ASHLEY ROYAL, JUDGE
UNITED STATES DISTRICT COURT

chw